

REMARKS

In the amendments above, Claims 1 to 5 have been cancelled in favor of new Claims 6 to 15, to more particularly point out and distinctly claim Applicants' invention. Support for new Claims 6 to 15 can be found in , for example, Claims 1 to 5 and pages 2 and 3 of the specification.

Claims 1 to 3 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner maintains that in Claim 1, at line 5, "whereby  $m < n$  and the enhancing means have a preferably monotone transfer function" is indefinite because it is not clear what  $n$  stands for and what "preferably" means. Clarification has been requested.

The Examiner's attention is directed to the amendments above. It is believed that new Claims 6 to 15 overcome the rejection under 35 U.S.C. §112, second paragraph.

Claims 1 to 5 have been rejected under 35 U.S.C. §102(b) as being anticipated by Smiley. The Examiner maintains that an audio reproducing device which is comprised of an input for receiving a  $k$ -channel input signal (output of 232), an output for supplying an  $l$ -channel output signal to  $l$  loudspeakers (output of 238 and 240), an audio processing unit for processing the input signal (234, 258, 238 and 240), which audio processing unit comprises enhancing means for enhancing an  $m$ -channel signal part of the  $k$ -channel input signal (234 and 258); and that the enhancing means comprise a non-linear device with a monotone transfer function, which is anti-symmetrical (cosine 234 and tangent 258 are non-linear and a monotone transfer function.

Applicants respectfully traverse the above rejection.

As set forth above, Claims 1 to 5 have been cancelled in favor of new Claims 6 to 15. New Claim 6, in particular, sets forth additional detail regarding the audio processing unit, which additional detail is believed to emphasize the differences between the invention claimed herein and the Smiley patent device. It should now be clear to the Examiner that the

Smiley patent does not disclose Applicants' invention. Therefore, the rejection under §102(b) should be withdrawn.

Recommendation and allowance of all the claims herein are respectfully requested.

Respectfully submitted,

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